

months within the 24 months following the first day of the active duty to which ordered under that subsection.

(f) WAIVER FOR PERIODS OF WAR OR NATIONAL EMERGENCY.—

Subsections (d) and (e) do not apply in time of war or of national emergency declared by Congress or the President.

§ 689. Retired members: grade in which ordered to active duty and upon release from active duty

(a) GENERAL RULE FOR GRADE IN WHICH ORDERED TO ACTIVE DUTY.—

Except as provided in subsections (b) and (c), a retired member ordered to active duty under section 688 of this title shall be ordered to active duty in the member's retired grade.

(b) MEMBERS RETIRED IN O-9 AND O-10 GRADES.—

A retired member ordered to active duty under section 688 of this title whose retired grade is above the grade of major general or rear admiral shall be ordered to active duty in the highest permanent grade held by such member while serving on active duty.

(c) MEMBERS WHO PREVIOUSLY SERVED IN GRADE HIGHER THAN RETIRED GRADE.—

(1) A retired member ordered to active duty under section 688 of this title who has previously served on active duty satisfactorily, as determined by the Secretary of the military department concerned, in a grade higher than that member's retired grade may be ordered to active duty in the highest grade in which the member had so served satisfactorily, except that such a member may not be so ordered to active duty in a grade above major general or rear admiral.

(2) A retired member ordered to active duty in a grade that is higher than the member's retired grade pursuant to subsection (a) shall be treated for purposes of section 690 of this title as if the member was promoted to that higher grade while on that tour of active duty.

(3) If, upon being released from that tour of active duty, such a retired member has served on active duty satisfactorily, as determined by the Secretary concerned, for not less than a total of 36 months in a grade that is a higher grade than the member's retired grade, the member is entitled to placement on the retired list in that grade.

(d) GRADE UPON RELEASE FROM ACTIVE DUTY.—

A

member
ordered to active duty under section 688 of this
title who, while
on active duty, is promoted to a grade that is
higher than that
member's retired grade is entitled, upon that
member's release
from that tour of active duty, to placement on
the retired list
in the highest grade in which the member served on
active duty
satisfactorily, as determined by the Secretary of the
military depart-
ment concerned, for not less than six months.

**"§690. Retired members ordered to active
duty: limitation
on number**

"(a) GENERAL AND FLAG OFFICERS.—Not more than
15 retired
general officers of the Army, Air Force, or Marine
Corps, and
not more than 15 retired flag officers of the Navy,
may be on
active duty at any one time. For the purposes of
this subsection
a retired officer ordered to active duty for a
period of 60
or less is not counted.

"(b) LIMITATION BY SERVICE.—(1) Not more than
25 officers
of any one armed force may be serving on active
duty concurrently